

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARIUS DE'MON LAKE,
Plaintiff,
v.
A. OBOYLE, et al.,
Defendants.

No. 2:23-cv-1306 DJC AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 27, 2023, the Magistrate Judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty-one days. ECF No. 14. Plaintiff has filed a document styled as objections in which he appears to agree with the findings and recommendations. ECF No. 18.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be

supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed November 27, 2023 (ECF No. 18), are adopted in full;

2. Plaintiff's retaliation claim is dismissed without leave to amend for failure to state a claim; and

3. This matter is referred back to the assigned magistrate judge for all further pretrial proceedings.

IT IS SO ORDERED.

Dated: January 9, 2024


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE

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